IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

WP(C).No. 6854 of 2004(N)

PETITIONER:

E.SAVITHRI, D/O.KUMBALAYI KRISHNAN,
AGED 46, BAVODE EAST UPPER PRIMARY HOUSE,
RESIDING AT KANDOTHVALAPPIL HOUSE, MAKRERI,
VIA MUNDALLOOR, KANNUR DISTRICT, WORKING AT UPSA
AT BAVODE EAST UPPER PRIMARY SCHOOL.

BY ADV. SRI.V.RAMKUMAR NAMBIAR

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, SECRETARIATE, TRIVANDRUM.

2. THE COMMISSIONER FOR GOVERNMENT
EXMINATIONS OFFICE OF THE COMMISSIONER FOR
GOVERNMENT EXAMINATIONS.

3. THE JOINT COMMISSIONER, OFFICE OF THE
COMMISSIONER OF EXAMINATION, TRIVANDRUM.

BY GOVERNMENT PLEADER SMT. K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE IDENTIFICATION CERTIFICATE DT. 29/1/76 BY THE TAHSILDAR, KANNUR.

EXT.P2. COPY OF THE ORDER OF THE GOVT.DT. 16/1/84 TO THE PETITIONER.

EXT.P3. COPY OF THE REQUEST MADE BY THE PETITIONER DT. 19/12/92.

EXT.P4 & P4A. COPY OF THE COMMUNICATION BY THE JOINT COMMISSIONER DT. 11/1/00 ALONG WITH UNDATED LETTER BY THE JOINT COMMISSIONER BEARING NO. 132/11656/96/EX.

EXT.P5. COPY OF THE DETAILED REPLY INDICATING THE ABOVE VARIATION ALONG WITH THE LIST OF THE DATES OF BIRTH OF THE PETITIONER AND ALL HER BROTHERS DT. 29/2/00.

EXT.P6. COPY OF THE COMMUNICATION DT.25/10/00 BY THE JOINT COMMISSIONER FOR GOVT. EXAMINATIONS.

EXT.P7. COPY OF THE COMMUNICATION BY THE PETITIONERS COUNSEL DT. 16/1/01 TO THE R1.

EXT.P8 & P8A. COPY OF THE COMMUNCATION BY THE JOINT COMMISSIONER ALONG WITH COPY OF THE LETTER DT. 25/10/02.

EXT.P9. COPY OF THE REPLY BY THE PETITIONER DT. 21/09/02.

EXT.P10. COPY OF THE BIRTH CERTIFICATE BY THE SECRETARY AND REGISTRAR OF BIRTHS AND DEATHS PERALASSERY GRAMA PANCHAYATH.

EXT.P11. COPY OF THE JUDGMENT OF THIS COURT IN OP NO. 38425/02 DT.19/12/02.

EXT.P12. COPY OF THE COMMUNICATION DT. 5/5/03 BY THE PETITIONER BEFORE THE R3.

EXT.P13. COPY OF THE COVERING LETTER DT. 9/6/03.

EXT.P14. COPY OF THE ORDER DT. 11/12/02.

EXT.P15. COPY OF THE CERTIFICATE OF THE PETITIONERS ELDEST BROTHER BALAKRISHNAN BORN ON 09/05/52.

EXT.P16. COPY OF THE BIRTH CERTIFICATE OF PETITIONERS YOUNGER BROTHER SAHADEVAN BORN ON 7/10/58.

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EXT.P17. COPY OF THE BIRTH CERTIFICATE OF THE PETITIONERS BROTHER NAKULAN BORN ON 7/10/58.

EXT.P18. COPY OF THE BIRTH CERTIFICATE OF THE PETITIONERS BROTHER KUNHIRAMAN BORN ON 21/11/62.

EXT.P19. COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER BROTHER RAGHU BORN ON 20/7/65.

EXT.P20. COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER YOUNGER BROTHER RENJITH BORN ON 16/6/67.

EXT.P21. COPY OF THE BIRTH CERTIFICATE OF THE PETITIONERS YOUNGEST BROTHER PRASANTHAN BORN ON 27/5/71.

RESPONDENT'S EXHIBITS **NIL.**

True copy

tga

KURIAN JOSEPH, J.

W.P. (C). NO. 6854 OF 2004

Dated this the 8th day of August, 2007.

J U D G M E N T

Petitioner is aggrieved by Exhibit P14 order passed by the Commissioner for Government Examinations, in the matter of correction of date of birth.

2. Since the petitioner has an effective remedy before the Government by way of appeal, it is not necessary for this Court at this stage to go into the merits of the case. Hence, this writ petition is disposed of as follows.

In the event of the petitioner filing an appeal before the first respondent within a period of two months from today, the matter will be duly considered by the Government on merits with notice to the petitioner and appropriate orders thereon shall be passed within a period of another four months.

KURIAN JOSEPH, JUDGE.

smp